

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, April 3, 2012, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman John Clark
Alderman Valerie Joh
Alderman Michael McIntire

Vice-Mayor Tom C. Parham
Alderman Tom Segelhorst

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:15 p.m., by Mayor Dennis R. Phillips
(NOTE: The meeting began late due to technical difficulties.)
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Jason Meredith, City Planner.
- II.B. **INVOCATION:** By Ray Amos, Jr. – Pastor, St. Matthew United Methodist.
- III. **ROLL CALL:** By City Recorder Jim Demming. Absent: Alderman Jantry Shupe.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Parham/Joh, to approve minutes for the following meetings:

- A. March 19, 2012 Regular Work Session
- B. March 20, 2012 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of an Ordinance to Amend Zoning of Parcel 24 on Tax Map 61B, Group K Located Along Carver Street and Douglass Street from R-1C Zoning to R-2 Zoning (AF: 90-2012).** City Planner Jason Meredith presented information on this item.

PUBLIC COMMENT ON ITEM VI.AA.1. Mr. Terry Cunningham, Executive Director for the Kingsport Housing and Redevelopment Authority spoke in favor of this item and provided further details for the Board. Mayor Phillips commended his efforts.

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Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY AT 300 CARVER STREET FROM R-1C, RESIDENTIAL DISTRICT TO R-2, TWO-FAMILY RESIDENTIAL DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. Ms. Nicole Johnson, 1908 Park Street, commented on the need for bicycle routes in the City and other similar concerns. City Manager Campbell explained we were wrapping up a comprehensive bike plan and Public Works Director Ryan McReynolds provided further details. Mr. McReynolds also noted there would be extra garbage crews working the weeks of April 9th through April 20th for larger spring cleaning pickups.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Condemn for Easements and Rights-of-Way for the Rock Springs/Stonetree Area Sanitary Sewer Extension Project (AF: 88-2012).

Motion/Second: Segelhorst/Parham, to pass:

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF CERTAIN PUBLIC WORKS PROJECTS; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

Passed on first reading: All present voting "aye."

2. Consideration of an Ordinance to Condemn for Easements and Rights-of-Way for the Cooks Valley Road Improvement Project – Phase II and the Cleek Road Improvement Project – Phase II (AF: 89-2012).

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF CERTAIN PUBLIC WORKS PROJECTS; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

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3. Consideration of an Ordinance to Appropriate Cultural Arts Funding Received from Engage Kingsport and Kingsport Tomorrow (AF: 80-2012).

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATIONS RECEIVED FROM ENGAGE KINGSPORT AND KINGSPORT TOMORROW FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of an Ordinance to Amend the Code of Ordinances, Division 9, Section 114-467 for the City of Kingsport (AF: 66-2012).

Motion/Second: McIntire/Joh, to pass:

ORDINANCE NO. 6186, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, DIVISION 9, SECTION 114-467; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

2. Consideration of an Ordinance to Amend the Code of Ordinances, Article I, Section 114-1b, Definitions for the City of Kingsport (AF: 67-2012).

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6187, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, ARTICLE I, SECTION 114-1(b); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

3. Consideration of Ordinances to Annex/Amend Zoning of the Cleek Road Part 2 Annexation (AF: 59-2012).

Motion/Second: McIntire/Clark, to pass:

ORDINANCE NO. 6188, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 10TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE CLEEK ROAD PART 2 ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

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Motion/Second: Parham/McIntire, to pass:

ORDINANCE NO. 6189, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG NEW BEASON WELL ROAD AND CLEEK ROAD TO A-1, AGRICULTURAL DISTRICT, IN THE 10TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

4. Consideration of Ordinances to Annex/Amend Zoning of the Eastern Star Road Part 2 Annexation (AF: 60-2012).

Motion/Second: McIntire/Joh, to pass:

ORDINANCE NO. 6190, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE EASTERN STAR ROAD PART 2 ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

Motion/Second: McIntire/Joh, to pass:

ORDINANCE NO. 6191, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG EASTERN STAR ROAD TO M-1R, LIGHT INDUSTRIAL DISTRICT, IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

5. Consideration of Ordinances to Annex/Amend Zoning of the Kingsport South Annexation (AF: 61-2012).

Motion/Second: McIntire/Clark, to pass:

ORDINANCE NO. 6192, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE KINGSFORT SOUTH ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

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Motion/Second: Joh/McIntire, to pass:

ORDINANCE NO. 6193, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG MITCHELL ROAD, PICKENS ROAD, AND LEBANON ROAD TO A-1, AGRICULTURAL DISTRICT, IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

D. OTHER BUSINESS.

1. Consideration of a Resolution Exercising the Option to Award the Bid for the Purchase of One (1) 23 Passenger Urban Mass Transit Mini-Bus to National Bus Sales & Leasing, Inc. (AF: 87-2012). City Manager Campbell stated this was the last of these mass transit buses to be purchased. Alderman Joh commented it was nice to see more riders. Mayor Phillips noted a citizen had informed him their fee had increased from two dollars to six dollars. Assistant to the City Manager Chris McCartt explained the reasoning behind this increase and what it was dependent on. Mr. McCartt further stated the Board would be asked in the future to lower some of these fees. He also gave details on the new route and pickup information.

Motion/Second: Joh/Clark, to pass:

Resolution No. 2012-171, A RESOLUTION EXERCISING THE OPTION TO PURCHASE ONE 23 PASSENGER URBAN MASS TRANSIT MINI-BUS FROM NATIONAL BUS SALES & LEASING, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

2. Consideration of a Resolution Awarding the Bid for the Purchase of Chlorine to JCI Jones Chemical, Inc., Hydrofluorisilic Acid to Kay Chemical, Inc., Coagulant to Gulbrandsen, Inc. and Zinc Orthophosphate to Carus Corporation (AF: 85-2012).

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2012-172, A RESOLUTION RENEWING THE AWARD OF BID FOR PURCHASE OF CHLORINE TO JCI JONES CHEMICAL, INC., FOR HYDROFLOURISILIC ACID TO KEY CHEMICAL, INC., COAGULANT TO GULBRANDSEN MANUFACTURING, INC. AND ZINC ORTHOPHOSPHATE TO CARUS CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

3. Consideration of a Resolution Awarding the Bid for the Purchase of One (1) Diesel Powered Single Axle Trash Type Dump Truck to Goodpasture Motor Company, Inc. (AF: 92-2012).

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Motion/Second: Joh/Clark, to pass:

Resolution No. 2012-173, A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF ONE DIESEL POWERED SINGLE AXLE TRASH TYPE TRUCK TO GOODPASTURE MOTOR COMPANY, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

4. Consideration of a Resolution Awarding the Bid for the Purchase of One (1) Propane Powered Stake-Bed Truck to Empire Ford, Inc. (AF: 93-2012). City Manager Campbell gave details on this item, noting that although there was only one bid, this was the front-end of technology in the switch to propane. Mayor Phillips stated he would like to see more bidders in the future. Vice-Mayor Parham commented he would like to see data on the fuel savings.

Motion/Second: Parham/Segelhorst, to pass:

Resolution No. 2012-174, A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF ONE PROPANE POWERED STAKE-BED TRUCK TO EMPIRE FORD, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

5. Consideration of a Resolution Awarding the Bid for the Purchase of Two (2) Gasoline Powered 4X4 One Ton Pick-Up Trucks to Fairway Ford, Inc. (AF: 94-2012).

Motion/Second: Parham/Clark, to pass:

Resolution No. 2012-175, A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF TWO GASOLINE POWERED 4X4 ONE TON PICK-UP TRUCKS TO FAIRWAY FORD, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

6. Consideration of a Resolution Approving an Agreement with Marriott Hotel Services, Inc. and Authorizing the Mayor to Execute the Agreement (AF: 98-2012). City Attorney Billingsley stated this was a continuance of the City's relationship with Marriott, with no difference in operation and recommended by staff.

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2012-176, A RESOLUTION APPROVING AN AGREEMENT WITH MARRIOTT HOTEL INTERNATIONAL, INC. AND FINDING A SOLE SOURCE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO MAKE CHANGES TO THE AGREEMENT, AS NEEDED

Passed: All present voting "aye."

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E. APPOINTMENTS/REAPPOINTMENTS. None.

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Segelhorst/Joh, to adopt:

1. Consideration of an Ordinance to Appropriate the Funds for a Materials Agreement with Danny Karst Related to the Edinburgh Phase 2 Section 2C Development (AF: 77-2012).

Adopt:

Ordinance No. 6194, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE EDINBURGH PHASE 2 SECTION 2C MATERIALS AGREEMENT PROJECTS (WA1276 AND SW1276); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

2. Consideration of Approval of Offers for Easements and Rights-of-Way for the Tiffany Court Sanitary Sewer Extension Project (AF: 78-2012).

Approve:

OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR THE TIFFANY COURT SANITARY SEWER EXTENSION PROJECT

Passed in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Campbell congratulated Budget Director Judy Smith for receiving a distinguished budget presentation award for the twelfth year from the GFOA (Government Finance Officers' Association). Mr. Campbell stated he had attended his first meeting in the new Chamber of Commerce location, noting it was a good reuse of an older building. He further noted the school administration had moved in two weeks ago and were also pleased.

Public Works Director Ryan McReynolds provided information on the proposed improvements to the Clinchfield Street and Sullivan Street intersection, noting the inclusion of a mobility path. He stated it would be a lengthy process as it involved coordinating with many entities, including the cable company, the phone company, the power company and the fire department.

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- B. MAYOR AND BOARD MEMBERS.** Alderman Joh stated there would be new pictures tomorrow on facebook of the carousel painters' progress.

Alderman Clark noted he had met some of the carvers at the Civic Auditorium and was very impressed. He encouraged everyone to visit this project, pointing out that donations were still being accepted.

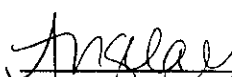
Alderman Segelhorst commented he hoped everyone stays safe with the coming storms.


Vice-Mayor Parham mentioned the progress made at the work sessions yesterday and the projects that were discussed, such as the library expansion and the plans for downtown.


Mayor Phillips stated the Farmers' Market opens tomorrow on Wednesdays and Saturdays, noting the building was almost complete. Assistant to the City Manager Chris McCartt gave an update on the progress of the facility and commented on the new animal policy which did not allow for dogs inside the building. Mr. McCartt stated there has been great cooperation between the Market and the City.

- C. VISITORS.** None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:15 p.m.


ANGELA MARSHALL
Deputy City Recorder

The seal of the City of Kingsport, Tennessee, is circular. It features a central shield with a sun rising over a river, with a bridge in the background. The words "KINGSPORT, TENNESSEE" are written around the top half of the circle, and "The Model City" is written around the bottom half. There are small stars on either side of the bottom text.


DENNIS R. PHILLIPS
Mayor